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RCE

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Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/735,144
Filing Date	12/12/2003
First Named Inventor	Michael J. Shebek
Art Unit	3751
Examiner Name	Robert M. Fetsuga
Attorney Docket Number	APC-P002-01

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

**1. Submission required under 37 CFR 1.114**

Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii.  Other \_\_\_\_\_

b.  Enclosed

i.  Amendment/Reply      iii.  Information Disclosure Statement (IDS)  
ii.  Affidavit(s)/Declaration(s)      iv.  Other \_\_\_\_\_

**2. Miscellaneous**

a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b.  Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to

Deposit Account No. 02-0390 I have enclosed a duplicate copy of this sheet.

i.  RCE fee required under 37 CFR 1.17(e)      12/30/2005 MGEBREM1 00000052 10735144  
ii.  Extension of time fee (37 CFR 1.136 and 1.17)      01 FC:2801  
iii.  Other      395.00 OP

b.  Check in the amount of \$ 395.00 enclosed

c.  Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Signature



Date

December 28, 2005

Name (Print / Type)

Kevin R. Erdman

Registration No.

33,687

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature



Name (Print / Type)

Kay Van Duesen

Date

December 28, 2005

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ) Our Docket No.: APC-P002.01  
Michael J. Shebeck )  
Serial No. 10/735,144 )  
Filed: December 12, 2003 ) Art Unit: 3751  
Title: UNIVERSAL TRACK AND )  
COPING ASSEMBLY FOR ) Examiner: Robert M. Fetsuga  
POOL COVERS )  
)

REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. §1.114

MAIL STOP RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the final Office Action dated September 9, 2005, please receive this Request for Continued Examination (RCE) Under 37 C.F.R. §1.114. An Amendment responsive to the Office Action in the above-identified application is being filed concurrently with this Request.

Applicant submits herewith, a check in the amount of \$395.00, which covers the RCE fee required by 37 C.F.R. §1.17(e). If the enclosed remittance is insufficient, please charge any additional amount required to Deposit Account No. 02-0390, Baker & Daniels.

Respectfully submitted,

By: 

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on December 28, 2005

  
Kay Van Duesen

Enclosures: Copy of Response to  
Final Office Action dated 9/9/2005  
Check in the amount of \$395.00  
Return postcard